

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MARGARITA FRIAS) Case No.: 1:20-cv-00097 JLT
Plaintiff,)
v.) ORDER GRANTING DEFENDANT'S REQUEST
COMMISSIONER OF SOCIAL SECURITY,) FOR A FURTHER EXTENSION OF TIME
Defendant.) (Doc. 20)

On November 5, 2020, the parties stipulated for the Commissioner to have an extension of time to file a response to opening brief. (Doc. 20) Notably, the Scheduling Order allows for a single extension of thirty days by the stipulation of the parties. (Doc. 5 at 3) Beyond the single extension by stipulation, “requests to modify [the scheduling] order must be made by written motion and will be granted only for good cause.” (*Id.*)

Previously, the parties stipulated for Plaintiff to have an extension of time to file an opening brief, which was granted by the Court. (Docs. 16, 17) Because this is the second extension sought by the parties in the action, the Court construes the stipulation to be a motion to amend the briefing schedule. (*See* Doc. 5 at 3) Paul Sachelari, counsel for the Commissioner, asserts that additional time is necessary because “Defendant’s Office of General Counsel has recently hired multiple attorneys, and [he] is responsible for conducting training and review.” (Doc. 20 at 1) In addition, Mr. Sachelari reports the attorney assigned to briefing in this action is one of the new hires. (*Id.*) According to counsel, the

extension of thirty days will give him sufficient time to review the drafted brief and file it. (*Id.* at 1-2) Notably, Plaintiff does not oppose the requested extension. (*Id.* at 2) Further, it does not appear Plaintiff would suffer prejudice as a result of the requested extension of time. Accordingly, the Court **ORDERS:**

1. The request for a further extension of time (Doc. 20) is **GRANTED**; and
 2. Defendant **SHALL** file a response to Plaintiff's opening brief no later than **December 9, 2020**.

IT IS SO ORDERED.

Dated: **November 5, 2020**

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE